

EXHIBIT B

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September 21, 2018

BY E-MAIL

Special Master David R. Cohen
24400 Chagrin Blvd., Ste. 300
Cleveland, OH 44122
David@SpecialMaster.Law

Re: *MDL 2804 Walgreens Weekly Production Update*

Dear Special Master Cohen:

I write to provide this week's update on Walgreens' document collection, review, and production.

Depositions

In accordance with the Court's September 6 Amended Discovery Order (Doc. 941), Walgreens offered dates for the deposition of every witness Plaintiffs requested on August 31, as follows:

- *Sean Barnes* – October 22
- *Steve Mills* – November 8
- *Patricia Daugherty* – November 15
- *Ed Bratton* – November 30
- *Barb Martin* – December 19

Walgreens is prioritizing the review and production of custodial files for these five witnesses, based on the dates that have been offered for their depositions. Plaintiffs' August 31 witness list was different from the initial list of witnesses that Plaintiffs provided to Walgreens. Walgreens has therefore already adjusted its plan for document review and production to account for that change, and to ensure that production of each of the deponents' custodial files will be substantially complete at least 14 days in advance of those depositions.

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

Page 2

Most of these witnesses will also be designated to testify on Plaintiffs' 30(b)(6) topics. Walgreens is therefore prioritizing the production of documents related to Plaintiffs' 30(b)(6) topics as well, so that those documents can also be produced at least 14 days in advance of the deposition where each topic will be addressed.

Meanwhile, this morning Walgreens spoke with Plaintiffs about whether Plaintiffs would be willing to take any of these witnesses' depositions without full custodial file production, to the extent that any of those witnesses is not also a 30(b)(6) designee, in order to get an earlier date for at least one witness. Walgreens will continue to meet and confer with Plaintiffs on these issues in hopes of reaching agreement on deposition dates for each of these witnesses.

Ongoing Collection, Review, and Investigation

Walgreens has collected more than 3 million documents, generating a review population based on agreed search terms of more than 600,000 documents. In addition, Walgreens has prioritized its investigation for transaction/distribution data and Suspicious Order Reports. Walgreens has not distributed Opioids into Ohio since 2014, and therefore has had no Suspicious Orders to report in Ohio since that time.

Transaction/Distribution Data. Walgreens has identified data showing its distribution of Opioids to Walgreens pharmacies in Cuyahoga and Summit Counties for time periods dating from 2006 to 2013. Walgreens is working with its custodians to generate a report of this historical distribution data, which requires pulling and cross-referencing information on specific Opioids and specific pharmacies from multiple sources. Walgreens will produce this data when it is ready.

Suspicious Order Reports. Walgreens continues to investigate whether it retains copies of any Suspicious Order Reports regarding Opioids orders from Walgreens pharmacies in Cuyahoga and Summit Counties, from the timeframe when Walgreens was distributing Opioids to those pharmacies. In 2012 and 2013, Suspicious Order reports were submitted by fax and then by email to the relevant DEA field office. In earlier time periods, Suspicious Order reports were submitted to the relevant DEA office on CD, and, still earlier, they were submitted on paper. Based on a reasonable investigation to date, Walgreens has determined that it does not have a centralized repository of orders for Opioids placed by Walgreens pharmacies in Cuyahoga and Summit Counties that were reported to the DEA. Walgreens' investigation is ongoing. To the extent any such records exist, Walgreens will produce them.

Document Custodians

Walgreens is collecting documents from the following 21 custodians:

- *Brian Amend*: Director, IT Merchandising and Supply Chain
- *Stephen Bamberg*: Manager, IT Supply Chain and Merchant

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

Page 3

- *Wayne Bancroft*: Lead Business Systems Analyst, IT Integration
- *Sean Barnes*: Manager, IT Supply Chain and Merchant
- *Mike Bleser*: Divisional Vice President, Generic Rx Purchasing and Rx Supply Chain
- *Ed Bratton*: Manager, Pharmaceutical Integrity
- *Casey Cesnovar*: Vice President, State and Local Government Relations
- *Patricia Daugherty*: Manager, Pharmaceutical Integrity
- *Kathy Emery*: Manager, IT Supply Chain and Merchant
- *Tomson George*: Senior Manager, Professional Affairs Pharmacy and Healthcare
- *Ed Kaleta*: Divisional Vice President, Federal Government Relations
- *Nataliya Kompanets*: Business Analyst, Healthcare Asset Protection Solutions
- *Barb Martin*: Manager, Inventory Management
- *John Merritello Jr.*: Manager, Business Applications Rx Inventory Control
- *Steve Mills*: Senior Business Analyst, Pharmaceutical Integrity
- *Denman Murray*: Director, Inventory Management
- *Doug Peterson*: Manager, IT Supply Chain
- *Tasha Polster*: Vice President, Pharmacy Quality, Compliance, and Patient Safety
- *David Reiter*: Pharmacy Category Manager
- *Eric Stahmann*: Manager, Pharmaceutical Integrity
- *Rex Swords*: Vice President, Pharmacy Retail Operations and Planning

Identification of Personnel

Pursuant to Plaintiffs' request, Walgreens identifies the following individuals holding positions involving pharmacy operations in Ohio. Walgreens provides this information to further

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

Page 4

Plaintiffs' understanding of the structure of Walgreens' organization, and does not agree that these individuals are proper document custodians or deponents in this matter.

- *Brad Ulrich*: Corporate Operations Vice President
- *Dave White*: Regional Vice President
- *Alex Broadus*: Regional Healthcare Director
- *Nishka Kumar*: Regional Finance Manager
- *Ashley Painter*: Asset Protection Director
- *Katreequia Auguste*: Regional HR Manager
- *Andrea Freeman*: Regional Merchandise Manager
- *Joseph Prignano*: Director, Pharmacy and Retail Operations
- *James Whited II*: Healthcare Supervisor
- *Eileen Demor*: Area Administrative Assistant
- *John Borchert*: District Leader, Cleveland North
- *William Hunter*: District Leader, Cleveland West
- *Christopher Morrison*: District Leader, Cleveland East
- *Timothy Culp*: District Leader, Cleveland South
- *Stephan Stewart*: District Leader, Akron
- *Donald Miller*: District Leader, Specialty Columbus

Walgreens also identifies the following individuals who are currently Function Managers in Walgreens' Perrysburg, Ohio distribution center. These individuals were formerly CII Function Managers. Again, Walgreens provides this information to further Plaintiffs' understanding of the structure of Walgreens' organization, and does not agree that these individuals are proper document custodians or deponents in this matter.

- *Deb Bish*

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

Page 5

- *Jen Diebert*
- *James Gill*
- *Mark Betteridge*

Walgreens also has produced organizational charts at WAGMDL00011085, WAGMDL00011087, WAGMDL00254645, and WAGMDL00254649. Walgreens' investigation is ongoing, and Walgreens expects to identify additional organizational information in its amended interrogatory responses shortly.

Productions to Date

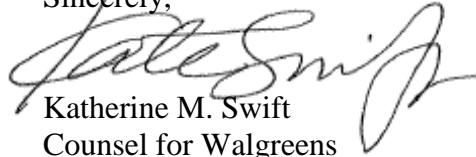
Walgreens has produced approximately 288,000 pages of documents to date, including documents from custodial files; prior productions related to the distribution of opioids; policies and procedures related to good faith dispensing and the evaluation of orders of controlled substances from Walgreens pharmacies; compensation policies; insurance policies; board meeting minutes; distribution agreements; training materials; and documents from Walgreens' CMAT system.

Upcoming Productions

Walgreens' production next week will include approximately 10,000 pages of documents. These include Walgreens' document retention policies, additional good faith dispensing policies, and documents resulting from Walgreens' privilege review, from the files of Ed Bratton, Casey Cesnovar, Patty Daugherty, Tomson George, Ed Kaleta, Steve Mills, Denman Murray, Tasha Polster, and Eric Stahmann.

Walgreens' privilege review is ongoing, and Walgreens will continue to deliver privilege logs and accompanying documents in accordance with the Court's orders. Walgreens is also continuing its review of more than 200,000 documents from custodial files, as well as non-custodial sources such as databases, intranet sites, and network drives. Walgreens will continue its collection, review, and rolling productions in the coming weeks.

Sincerely,


Katherine M. Swift
Counsel for Walgreens

KMS/dlh

Cc: Liaison counsel
Plaintiffs' counsel listserv
Defense counsel listserv

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

Page 6

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Jeff Gaddy